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LETTER DATED 3 OCTOBER 2000 FROM THE PERMANENT REPRESENTATIVE OF ALGERIA TO THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

Written statement* submitted by the Commission of the Churches on International Affairs of the World Council of Churches, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 October 2000]

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*/ This written statement is issued, unedited, as received from the submitting non-governmental organization(s).

Justice delayed, justice denied. The resolutions and reports relating to the rights and duties of Israelis and Palestinians adopted by or submitted to the General Assembly, the Security Council and this body since the Partition of Palestine and the creation of the State of Israel in 1948 fill volumes. Israel has most often either ignored or openly violated those related to its practices, thus delaying and often denying justice to the Palestinian people, both in the Occupied Territories and within Israel.

In the post-Oslo period Israel has continued and even accelerated its unilateral practices of changing "facts on the ground." These have included:

- the confiscation over the past three years of an estimated 2,200 Palestinian identity cards, some 900 in 1999 alone, affecting in all nearly 2,500 citizens;
- the continuing issuance and execution of demolition orders against Palestinian houses in the occupied territories – Israeli Municipality of Jerusalem issued 141 demolition orders in East Jerusalem alone and carried out 19 in 1999 and demolished another three by the end of August 2000;
- continuing harassment and interference with the work of Palestinian institutions providing essential human services in East Jerusalem despite promises to desist;
- continuing expansion by Israel of illegal settlements in territories occupied since 1967 and denial of Palestinian's exercise of their right to return;
- repeated closures restricting movement of Palestinians and their access, *inter alia*, to the Holy Places in Jerusalem.

The Special Rapporteur on the Question of the violation of human rights in the occupied Arab Territories, including Palestine inferred in his last report, and events following the provocative visit on 28 September to Al-Haram Al-Sharif have again shown that the consequence of this repeated defiance of international law, of continuing systematic violations of human rights, including the application of collective punishments, has been to incite to violence and to deny peace and security to both peoples. Israel's particularly harsh response through the use of excessive force against its own Palestinian minority in recent days has contributed to their further vulnerability and alienation and to a deeper polarization of Israeli society.

In a letter of 10 October to Secretary-General Kofi Annan, Dr. Konrad Raiser, General Secretary of the World Council of Churches (WCC) offered support and prayers for the success of the mission he has undertaken to the region. Dr. Raiser said there:

> Both sides have suffered from this renewed violent confrontation. But once again it is the Palestinian people, especially Palestinian youth, who pay by far the greater price in God-given life as a result of the disproportionate use of armed force by Israel.
>
> We pray that Prime Minister Barak and President Arafat and all those caught up in the terrible, rising spiral of violence will respond to your initiative and to the appeals of governments and peoples around the world by stepping back from the brink before they and the region as a whole are cast again into the abyss of full-scale war.
>
> This is not a time for ultimatums or threats of more violent acts of retribution, but the hour to join together in declaring a truce and days of public mourning for the victims of the violence on all sides.

Sharing the land. Most Israelis and Palestinians fervently desire peace, but many also despair at the lack of progress towards it. Jerusalem – home to Arabs and Jews, and considered holy by Christians, Jews and Muslims alike – has been regarded as the most complicated and difficult issue and has repeatedly been left to the end of the negotiation process. Believing that a resolution of this question could open the way to agreements on equitable sharing of the land and resources in Palestine, the last WCC Assembly (Harare, 1998) called upon the parties not to postpone further but to include final status negotiations on Jerusalem as an integral part of negotiations on a general settlement of the wider Middle East conflict. In fact an approach along these lines was taken during the most recent talks in Camp David. For the first time, both sides tabled constructive proposals for shared sovereignty in Jerusalem. Recent events have cut short this hopeful process. Once again the exercise of peoples' rights to peace and sovereign development has fallen victim to the enemies of peace.

Sharing the peace. It was not surprising that these confrontations began in Jerusalem, the nerve center of the conflict. In a resolution adopted on 29 September the WCC Executive Committee nevertheless shared the conviction expressed by Their Beatitudes the Patriarchs and Heads of Churches and Christian Communities in Jerusalem in their statement of 26 September 2000 that a successful conclusion of final status negotiations on Jerusalem would contribute greatly to "true peace with true justice and security for the 'two peoples and three religions' of this land – Palestinians and Israelis, Jews, Christians and Muslims alike." The WCC is firmly convinced that God intended the Holy City to be a source of peace, stability and coexistence rather than of the division and conflict that destroy human dignity and hope. We hope that the present special session of the Commission on Human Rights will draw on the spiritual resources God offers through Jerusalem and contribute constructively to this end.

Sharing the truth. Few international conflicts have been so marked by the dominant power's defiance of its obligations under the Charter to abide by decisions of the Security Council and its treaty obligations such as those of the Fourth Geneva Convention. Here as elsewhere self-

asserted claims to impunity pose barriers to peace and reconciliation between nations and peoples. Thus the WCC welcomed the important decision of the Security Council in res. 1322 (2000) that stressed "the importance of establishing a mechanism for a speedy and objective inquiry into the tragic events of the last few days with the aim of preventing their repetition". Such an investigation could provide an essential beginning to revealing, sharing and mutual acceptance of the truth about past systematic violations of peoples' rights. Without such a process there can be little hope for justice, peace or reconciliation between Israeli Jews and Palestinian Christians and Muslims within and beyond Israel's legitimate borders.

RECOMMENDATIONS

The Commission of the Churches on International Affairs of the World Council of Churches therefore recommends that this Fifth Special Session of the Commission on Human Rights:

1. Respond to Security Council res. 1322 (2000) by contributing within its mandate to a "speedy and objective inquiry into the tragic events of the last few days with the aim of achieving an early final settlement between the Israeli and Palestinian sides;"
2. Continue to support the work of the Special Rapporteur on the Question of the violation of human rights in the occupied Arab Territories in the pursuance of his mandate to investigate Israel's violations of the principles and bases of international law, and the 1949 Geneva Conventions relative to the Protection of Civilian Persons in Time of War in the Palestinian territories occupied by Israel since 1967, and to propose means of compliance with relevant resolutions through regular reports to the Commission;
3. Encourage the Special Committee to Investigate Israeli Practices affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories to continue and intensify its work;
4. Reiterate its demand that Israel cooperate fully with these investigations, including the granting of full access to the occupied Arab Territories, and respond to the content and recommendations contained in the reports;
5. Encourage the Working Group on Minorities of the Sub-Commission on the Promotion and Protection of Human Rights, in response to the appeals of Israeli Palestinian leaders, to investigate systematic violations of the human rights of the Palestinian minority in Israel particularly in light of recent official abuses and failure to provide protection;
6. Reiterate its demand that Israel comply fully with its obligations under the Fourth Geneva Convention;
7. Follow up the work of on impunity of the Sub-Commission on the Promotion and Protection on Human rights with respect to holding states and individuals suspected of having committed mass violations of the right to life accountable for their acts.

Geneva, 16 October 2000